

**REMARKS**

Upon entry of the amendments in this paper, claims 1, 3-6, 8, 9, 11-13, 23 and 24 will be pending in the above-identified application. Claims 1, 3, 6, 8, 9, and 11 are herein amended. Claims 2, 7 and 10 are herein canceled. No new matter is entered. It is respectfully submitted that this paper is fully responsive to the Office action mailed on February 3, 2010.

**Claim Rejections – 35 U.S.C. §102**

Claims 2, 3, 5-13, 23 and 24 stand rejected under 35 U.S.C. §102(b) as anticipated by *Robotham* (U.S. 2002/001542).

Applicants respectfully disagree with the Examiner's characterization of the cited reference and previously presented claims. However, to expedite prosecution, Applicants herein cancel claims 2, 7, and 10 and amend claims 1, 3, 6, 8, 9, and 11 to clarify the subject matter of the claimed invention. In view of these amendments and the following remarks, Applicants request favorable reconsideration of pending claims 3, 5, 6, 8, 9, 11-13, 23 and 24.

Anticipation requires the presence of every limitation in a single prior art reference.

Applicants submit that claims 1, 6, and 9 are amended to clarify that identification information (*e.g.*, version information) is related with the symbol image data. Applicants submit that the mobile phone terminal, for example, stores the identification information of the symbol image data stored in the mobile phone terminal and requests the server to transmit server-side image data identification information prior to request to transmit the symbol image data, and then discriminates whether or not the symbol image data stored in the mobile phone terminal is the

latest data. If it is not the latest data, the mobile phone terminal requests the server to transmit the latest symbol image data.

Also, in the image data transmitting/receiving system of the present invention, for example, the symbol image data stored in the terminal-side symbol image data memory is discriminated whether or not it is the latest data. Only when the symbol image data stored in the server-side symbol image data memory is renewed and thereby the terminal-side symbol image data is not the latest data, the symbol image data is transmitted to the mobile phone terminal from the server.

Thus, in comparison with a case that the symbol image data are transmitted every time without discriminating whether or not it is the latest data, the construction in the above amended claims can reduce transmitting/receiving data volume between the mobile phone terminal and the server, and thereby reduce communication costs and prevent congestion in communication circuits. Further, as it is possible to discriminate whether or not the symbol image data is the latest data in the terminal side, it is also possible to reduce the load on the server.

Applicants submit that none of the cited references discloses the aforementioned features described in independent claims 1, 5, 6, 9, 12, 13, and 23. Accordingly, Applicants request favorable reconsideration of pending claims 3, 5, 6, 8, 9, 11-13, 23 and 24.

#### **Claim Rejections – 35 U.S.C. §103**

Claim 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Petchatnikov* (U.S. 2004/0030493) and *Robotham* (U.S. 2002/001542).

Claim 4 depends from independent claim 1. Accordingly, Applicants request favorable reconsideration of pending claim 4 in view of the aforementioned remarks regarding claim 1.

**Conclusion**

In view of the aforementioned amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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